

1 ANTON HANDAL (Bar No. 113812)
anh@handal-law.com
2 PAMELA C. CHALK (Bar No. 216411)
pchalk@handal-law.com
3 GABRIEL HEDRICK (Bar No. 220649)
ghedrick@handal-law.com
4 HANDAL & ASSOCIATES
5 1200 Third Avenue, Suite 1321
San Diego, California 92101
6 Tel: 619.544.6400
Fax: 619.696.0323
7

8 Attorneys for Plaintiff and Counter-Defendant
e.Digital Corporation
9

10 **UNITED STATES DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA

11 e.Digital Corporation,
12
13 Plaintiff,

14 v.

15 Research In Motion Limited dba
BlackBerry; Research In Motion
16 Corporation dba BlackBerry,

17 Defendants.
18

Case No. 3:13-cv-00781-DMS-WVG

**DECLARATION OF GABRIEL G.
HEDRICK IN SUPPORT OF
OPPOSITION OF E.DIGITAL TO
MOTION TO DISMISS UNDER FED.
R. CIV. P. 12(c)**

Date: August 2, 2013

Time: 1:30 P.M.

Judge: Hon. Judge Dana M. Sabraw

Ctrm: 13A (Annex)

19 Research In Motion Limited dba
20 BlackBerry; Research In Motion
21 Corporation dba BlackBerry,

22 Counterclaimants,

23 v.

24 e.Digital Corporation,

25 Counter-Defendant.
26
27
28

1 I, Gabriel G. Hedrick, declare:

2 1. I have personal knowledge of the matters set forth herein, except for
3 those matters stated under information and belief. If called as a witness, I could
4 and would competently testify thereto.

5 2. I am an attorney licensed to practice law in the State of California and
6 am a member of the California State Bar. I am an associate with the law firm of
7 Handal & Associates, attorneys of record in this matter for Plaintiff e.Digital
8 Corporation ("Plaintiff" or "e.Digital").

9 3. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent
10 No. 5,491,774, including a Certificate of Correction and the *Ex Parte*
11 Reexamination Certificate related to same.

12 4. Attached hereto as Exhibit B is a true and correct copy of U.S. Patent
13 No. 5,742,737, including all Certificates of Correction and the *Ex Parte*
14 Reexamination Certificate related to same.

15 5. Attached hereto as Exhibit C is a true and correct copy of U.S. Patent
16 No. 5,839,170.

17 6. Attached hereto as Exhibit D is a true and correct copy of U.S. Patent
18 No. 5,839,108, including a Certificate of Correction.

19 I declare under penalty of perjury of the laws of the United States that the
20 foregoing is true and correct. Executed this 3rd day of July, 2013.

21
22 /s/ Gabriel G. Hedrick

23 Gabriel G. Hedrick
24
25
26
27
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on this date to all counsel of record, if any to date, who are deemed to have consented to electronic service via the Court's CM/ECF system per CivLR 5.4(d). Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery upon their appearance in this matter.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed this 19th day of July, 2013 at San Diego, California.

/s/ Gabriel G. Hedrick

Gabriel G. Hedrick